

REMARKS

Claims 1 – 5 and 7 – 21 are pending in the application. Claims 1, 3, 5, 9, 13 and 17 are independent.

In the present response, the claims are not amended.

35 U.S.C. §102(b)

Under 35 U.S.C. § 102(b), the Patent Office rejects claims 13 – 21 over Dieterich et al. (US 6,208,643, hereinafter Dieterich).

Applicant submits that for at least the following reasons, claims 13 – 21 are patentable over Dieterich.

For example, claim 13, in part, requires

“a combiner that is configured to append the packet arrival timestamp to each corresponding information signal packet.”

In the Office Action, page 3, it is alleged by the Patent Office that Dieterich, Fig. 2 shows the microprocessor that combined and appends PAT information to the information signal. Applicant respectfully disagrees.

Applicant submits that Dieterich, Fig. 2, shows only that the processor 240 utilizes the timestamps to verify the accuracy and correctness of the PCR data and the inter-arrival time of SI (column 5, lines 13 – 16), and to evaluate the packet's time elements (column 5, lines 27 – 28). The processor 240 does not append any PAT information to the information signal. Therefore, Dieterich fails to disclose the above claimed feature. In view of at least the foregoing, claim 13 is patentable over Dieterich.

Independent claim 17, in part, requires

“a reader that is configured to read a sequence of information packets and an associated system start time, each packet of the sequence of information packets including a corresponding packet arrival timestamp.”

As discussed above, in Dieterich, the processor 240 does not append any PAT information to the information signal. Fig. 2 of Dieterich shows that the processor 240

reads the timestamps from the register 232 and the packets from the buffer 210. Clearly the timestamps and the packets are read from different sources, and therefore, the processor in Dieterich does not read the information packets that include a corresponding packet arrival timestamp. Thus, Dieterich fails to disclose the above claimed features. In view of at least the foregoing, claim 17 is patentable over Dieterich.

Claims 14 – 16 and 18 – 21 respectively depend from and inherit all the respective features of claims 13 and 17. Therefore, claims 14 – 16 and 18 – 21 are patentable for at least the reason that they respectively depend from claims 13 and 17, with each claim containing further distinguishing features.

Withdrawal of the rejection of claims 13 – 21 under 35 U.S.C. 102(b) is respectfully requested.

35 U.S.C. §103(a)

Under 35 U.S.C. § 103(a), the Patent Office rejects claims 1 – 5 and 7 – 12 over Dieterich in view of Lenihan et al. (US 6,169,843, hereinafter Lenihan) in further view of Fujii et al. (US 5,898,695, hereinafter Fujii) in further view of Miyazawa et al. (US 6,542,518, hereinafter Miyazawa).

Applicant submits that for at least the following reasons, claims 1 – 5 and 7 – 12 are patentable over Dieterich, Lenihan, Fujii and Miyazawa, either singly or in combination.

For example, claim 1, in part, requires:

“determining a first Packet Arrival Timestamp (PAT) of the first information signal packet of the sequence and a second Packet Arrival Timestamp (PAT) of a first information signal packet that includes a Program Clock Reference (PCR) value.”

In the Office Action, page 10, the Patent Office conceded that the combined teaching of Dieterich and Lenihan fails to disclose the determining of PAT of the signal packets. The Patent Office also cited Fujii, alleging that Fujii teaches the ability to

determine PAT. However, as previously discussed in Applicant's response, filed September 22, 2008, Fujii does not teach determining the packet arrival timestamp, and nothing in Fig. 18 or the cited passage in Fujii discloses the above claimed feature. In the Office Action, page 2, the Patent Office conceded that Applicant's arguments are persuasive. Because of the defects present in Dieterich, Lenihan and Fujii, the Patent Office cited Miyazawa and alleged that Miyazawa discloses the above claimed feature. Applicant respectfully disagrees.

Miyazawa, column 13, line 44+ through column 14, lines 16 – 67, discloses the determination of a Program Association Table (denoted by Miyazawa with the acronym "PAT"). However, Applicant submits that the Program Association Table of Miyazawa is not the same as the claimed Packet Arrival Timestamp. Miyazawa, column 13, line 47 – 58, disclose

"The PAT is composed of a table ID (identifier) (8 bits) (that represents the type of a table defined in MPEG2 standard), a section syntax indicator (1 bit), "0" data (1 bit), a reserved portion (2 bits), a section length (12 bits), a transport stream (TS) ID (16 bits), a reserved portion (2 bits), a version number (5 bits), a current next indicator (1 bit), a section number (8 bits), a last section number (8 bits), a program number (16 bits), a reserved portion (3 bits), a network PID (13 bits) or a program map (PID) (13 bits), and a CRC (Cyclic Redundancy Check) (32 bits). Thus, the data size of the PAT is around 16 bytes."

Applicant submits that from the above passage, none of the data fields defined in the Program Association Table are related to the claimed Packet Arrival Timestamp. Thus, clearly, Program Association Table of Miyazawa is not the same as the Packet Arrival Timestamp as claimed. Therefore, Miyazawa also fails to teach or suggest the claimed feature: determining a first Packet Arrival Timestamp (PAT) of the first information signal packet of the sequence and a second Packet Arrival Timestamp (PAT) of a first information signal packet that includes a Program Clock Reference (PCR) value.

In view of at least the foregoing, Applicants submit that claim 1 is patentable over Dieterich, Lenihan, Fujii and Miyazawa, either singly or in combination.

Similarly, claim 3, in part, requires:

“retrieving information signal packets and their corresponding Packet Arrival Timestamps (PAT) from a storage medium.”

Applicants essentially repeat the above arguments for claim 1 and apply them to claim 3 pointing out why Dieterich, Lenihan, Fujii and Miyazawa, fail to teach or suggest the claimed features with Packet Arrival Timestamps. Therefore, for at least the above reasons, claim 3 is also patentable over Dieterich, Lenihan, Fujii and Miyazawa, either singly or in combination.

Claim 5, in part, requires:

“retrieving information signal packets and their corresponding Presentation Timestamps (PTS) from a storage medium” and

“presenting an information signal packet when the corresponding Presentation Timestamp (PTS) coincides with the presentation time counter.”

Applicants submit that nothing in Dieterich, Lenihan, Fujii or Miyazawa teaches or even suggests any Presentation Timestamps (PTS). Furthermore, there is nothing in Dieterich, Lenihan, Fujii or Miyazawa that teaches or suggests that the presentation of an information signal packet is based upon the Presentation Timestamp (PTS) being coincide with the presentation counter.

In view of at least the foregoing, Applicants submit that claim 5 is patentable over Dieterich, Lenihan, Fujii and Miyazawa, either singly or in combination.

Similarly, claim 9, in part, requires:

“Presentation Time Stamp (PTS) information for determining the presentation time of the information comprised in the information signal packets.”

Applicants essentially repeat the above arguments for claim 5 and apply them to claim 9 pointing out why Dieterich, Lenihan, Fujii and Miyazawa fail to teach or suggest: Presentation Time Stamp (PTS) information for determining the presentation time of the

information comprised in the information signal packets, as claimed. Therefore, claim 9 is also patentable for at least the above reasons.

Claims 2, 4, 7, 8 and 10 – 12 respectively depend from and inherit all the respective features of claims 1, 3, 5 and 9. Therefore, claims 2, 4, 7, 8 and 10 – 12 are patentable for at least the reason that they respectively depend from claims 1, 3, 5 and 9, with each claim containing further distinguishing features.

Withdrawal of the rejection of claims 1 – 5 and 7 – 12 under 35 U.S.C. § 103(a) is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

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